NOTE

This Microfiche meets the quality requirements of the American National Standard for Microfiche of Documents (ANSI PH5.9-1975). However, because of imperfections in the document from which it was made, it contains images that are illegible or difficult to read. The source document for this microfiche is the best copy that could be obtained prior to filming.

CIS Congressional Information Service, Inc.
Washington, D.C.

(100-)

S. HRG. 524

NOMINATION OF MARK SULLIVAN III

HEARING

BEFORE THE

COMMITTEE ON FINANCE
UNITED STATES SENATE

ONE HUNDREDTH CONGRESS

SECOND SESSION

ON

NOMINATION OF

MARK SULLIVAN III TO BE GENERAL COUNSEL OF THE U.S. DEPARTMENT OF THE TREASURY

FEBRUARY 25, 1988

Printed for the use of the Committee on Finance

U.S. GOVERNMENT PRINTING OFFICE

83-431 WASHINGTON : 1988

For sale by the Superintendent of Documents, Congressional Sales Office
U.S. Government Printing Office, Washington, DC 20402

S361-32

COMMITTEE ON FINANCE

LLOYD BENTSEN, Texes *Chairman*

SPARK M. MATSUNAGA, Hawaii
DANIEL PATRICK MOYNIHAN, New York
MAX BAUCUS, Montana
DAVID L. BOREN, Oklahoma
BILL BRADLEY, New Jersey
GEORGE J. MITCHELL, Maine
DAVID PRYOR, Arkansas
DONALD W. RIEGLE, JR., Michigan
JOHN D. ROCKEFELLER IV, West Virginia
TOM DASCHLE, South Dakota

BOB PACKWOOD, Oregon
BOB DOLE, Kansas,
WILLIAM V. ROTH, JR., Delaware
JOHN C. DANFORTH, Missouri
JOHN H. CHAFEE, Rhode Island
JOHN HEINZ, Pennsylvania
MALCOLM WALLOP, Wyoming
DAVID DURENBERGER, Minnesota
WILLIAM L. ARMSTRONG, Colorado

WILLIAM J. WILKINS, *Staff Director and Chief Counsel*
EDMUND J. MIHALSKI, *Minority Chief of Staff*

CONTENTS

NOMINEE

	Page
Mark Sullivan III	7

PUBLIC WITNESS

Karnes, Hon. David, a U.S. Senator from Nebraska	5

ADDITIONAL INFORMATION

Committee press release	2
Letter from the U.S. Office of Government Ethics	4
A biographical sketch of Mark Sullivan III	3
Prepared statement of Hon. John Warner	14
Prepared statement of Hon. David Karnes	16

NOMINATION OF MARK SULLIVAN III, TO BE GENERAL COUNSEL TO THE DEPARTMENT OF THE TREASURY

THURSDAY, FEBRUARY 25, 1988

U.S. SENATE,
COMMITTEE ON FINANCE,
Washington, DC.

The hearing was convened, pursuant to notice, at 12 p.m. in room SD-215, Dirksen Senate Office Building, the Honorable Lloyd Bentsen (chairman) presiding.

Present: Senators Bentsen, Matsunaga, Pryor, Packwood, and Heinz.

Also present: Senator Warner.

[The press release announcing the hearing, a biographical sketch of Mark Sullivan III and a letter from the Office of Government Ethics follows:]

COMMITTEE ON FINANCE
United States Senate
205 Dirksen Building
Washington, D.C. 20510

PRESS RELEASE #H-4
REVISED
FOR IMMEDIATE RELEASE
February 24, 1988

COMMITTEE ON FINANCE ANNOUNCES TIME CHANGE ON HEARING TO REVIEW NOMINATION OF SULLIVAN FOR TREASURY GENERAL COUNSEL

Washington, D.C. -- Senator Lloyd Bentsen (D., Tex.), Chairman, announced a time change Wednesday on a previously announced full Committee hearing to review the nomination of Mark Sullivan to be General Counsel of the Treasury Department.

The hearing will be held on Thursday, February 25, 1988 at 11:30 a.m. in Room SD-215 of the Dirksen Senate Office Building. The hearing had earlier been scheduled to begin at 10:00 a.m.

Mr. Sullivan has served as Associate Director of the White House Personnel Office since 1985. Prior to that, he was in private legal practice in Washington.

- 30 -

MARK SULLIVAN III

Mark Sullivan III currently serves as Associate Director of Presidential Personnel in the White House. Prior to joining the Administration in 1985, he was a partner of Baker & Hostetler in its Washington office (1984-1985). Mr. Sullivan had previously been a partner of the Washington, D.C. firm of Hamel & Park (1975-1984), which he joined as an associate in 1969.

Mr. Sullivan serves on the Council of the Administrative Conference of the United States (since 1986) and previously served as a member of the Education Appeal Board in the Department of Education(1984-1985).

Mr. Sullivan, who was born in Washington, D.C., graduated from the University of Virginia Law School (LL.B., 1967) and from Yale University (B.A., 1964).

He and his wife, Susan, and their two children, Jamie and Abby, live in Bethesda, Maryland.

December 1987

United States
Office of Government Ethics
P.O. Box 14108
Washington, D.C. 20044

DEC 8 ----

Honorable Lloyd Bentsen
Chairman
Committee on Finance
United States Senate
Washington, D.C. 20510

Dear Mr. Chairman:

In accordance with the Ethics in Government Act of 1978, I enclose a copy of the financial disclosure report filed by Mark Sullivan, III, who has been nominated by President Reagan for the position of General Counsel of the Department of the Treasury.

We have reviewed the report and have also obtained advice from the Department of the Treasury concerning any possible conflict in light of its functions and the nominee's proposed duties. Based thereon, we believe that Mr. Sullivan is in compliance with applicable laws and regulations governing conflicts of interest.

Sincerely,

Donald E. Campbell

Donald E. Campbell
Acting Director

Enclosure

The CHAIRMAN. This hearing will come to order. I apologize to those whom we have delayed, but we have been having a conference to respond to the House offer on the trade negotiations; and that has been a top priority for us.

Mr. Sullivan, we are very pleased to have you here. You have members of your family with you today?

Mr. SULLIVAN. I do, Senator, thank you.

The CHAIRMAN. I notice a very handsome family there behind you.

Mr. SULLIVAN. This is my wife, Susan, my daughter, Abigail, and my son, Jameson. My children are especially appreciative of your having held this hearing during school hours today.

The CHAIRMAN. I am sorry. I can't listen to two people at the same time. Would you repeat that?

Mr. SULLIVAN. I just was expressing, on behalf of my children, their appreciation for your having scheduled this meeting during school hours today. [Laughter.]

The CHAIRMAN. All right. That is fine. Senator Karnes, I am glad to see you. I understand you have a desire to introduce the nominee?

Senator KARNES. Yes, I do, Mr. Chairman.

STATEMENT OF HON. DAVID KARNES, U.S. SENATOR FROM THE STATE OF NEBRASKA

Senator KARNES. It is indeed a pleasure for me to be here today and introduce a good friend and a fine nominee for the position of General Counsel to the U.S. Department of the Treasury.

The purpose of this hearing is to consider President Reagan's nomination of Mr. Mark Sullivan to be General Counsel to the Department of Treasury. I would like to review very briefly for the committee the outstanding credentials which Mark Sullivan would bring to this very important position.

Mr. Sullivan is a native of Washington, D.C. He has served since March of 1985 as the Associate Director in the Office of Presidential Personnel. In that position, he has the responsibility for identifying and placing qualified individuals throughout the executive branch

Before assuming his current position, Mark practiced law here in Washington as a partner with the firm of Baker and Hostetler. Prior to that, he practiced from 1969 to 1984 with the firm of Hamel and Kark, where he became a kartner in 1975. During these affiliations, his practice involved the areas of corporate, contracts, and securities laws, in which he represented businesses, investment banks, and a wide variety of financial institutions. The broad experience gained in his law practice provides Mr. Sullivan with the kind of background that will enable him to serve the Department of the Treasury and the Secretary extremely well

Mark attended the Lawrenceville School in New Jersey, after which he earned a undergraduate degree at Yale University. He went on to the University of Virginia School of Law, where he was awarded a degree in 1967.

On the personal side, I would tell you that Mark and his wife, Susan, are the parents of two lovely children, Jamey, age 10, and

Abby, age 8, who—as he indicated—as with my four children are always looking for an opportunity to leave school and come up to the Hill.

Mark, Susan and their children are a fine example of a close and happy family which is so important to the strength of our country and the future of our communities. I might also add—or perhaps warn some of my Senate colleagues that Mark is also a formidable squash player. That will be important in his new position, I am sure.

Mr. Chairman, I have had the occasion to deal with Mark at both the professional and personal levels over the years, and I have been impressed with him in both contexts. He is a very well trained lawyer upon whose wise counsel one can confidently rely. Mark handles important responsibilities well, particularly under pressurized circumstances. I have had a chance to work with him in his position in the Office of White House Personnel. He gets the job done, yet one always comes away from the transaction or the dealings with Mark with the feeling that it has been a pleasure to deal with him, and that he has treated you very fairly.

In short, I believe that Mark Sullivan is just the type of person who will serve this country well in this important appointment. I therefore believe that the committee should report this nomination promptly a recommendation of approval and I trust that the Senate will act swiftly to confirm the President's nomination of Mr. Mark Sullivan to be General Counsel to the Department of the Treasury.

Thank you very much, Mr. Chairman.

The CHAIRMAN. Senator Karnes, we are very pleased to have you this morning. We appreciate very much your fine statement.

We also had Senator Warner here earlier to testify; and through no fault of his own, he was delayed, and is not available at the moment. I do ask unanimous consent that we put his statement in the record at this point.

[The prepared written statement of Senator Warner appears in the appendix.]

The CHAIRMAN. We are very pleased to have you this morning. I would like to defer to my colleagues. Senator Packwood?

Senator PACKWOOD. I have no questions, Mr. Chairman.

The CHAIRMAN. Senator Heinz.

Senator HEINZ. Mr. Chairman, I have no opening statement. I have a number of questions.

The CHAIRMAN. I understand that, yes. Senator Pryor, do you have any comments at this time?

Senator PRYOR. Mr. Chairman, I have no questions.

The CHAIRMAN. Mr. Sullivan, you are under consideration for General Counsel to the Department of the Treasury. As I understand it, you have been the Assistant Director in charge of personnel for the White House to this point and have had very substantial private sector experience.

We are pleased to have you, and you may proceed with your statement.

STATEMENT OF MARK SULLIVAN III, NOMINEE TO BE THE GENERAL COUNSEL TO THE US. DEPARTMENT OF THE TREASURY

Mr. SULLIVAN. Senator, I do not have a written statement but I would like to say that it is an honor to appear before the Committee on Finance and, of course, an honor to have been nominated by President Reagan to be General Counsel of the Department of the Treasury.

I am especially appreciative of your having arranged this hearing this morning. I know that the Senate has a tremendous amount of work before it, and I want to express my appreciation to you and also to the staffs of the committee. They have been very cooperative, and I appreciate that.

Naturally, I want to thank Senator Karnes for having taken the time to come here and Senator Warner as well.

I know there has been a long and close relationship between this committee and the Department of the Treasury; and if confirmed, I look forward to cooperating with the committee in that position.

I would be pleased to answer any questions you or any other member of the committee might have.

The CHAIRMAN. Mr. Sullivan, you are coming in at the end of an Administration and for a relatively short period of time. Is there any one specific thing that you are looking to accomplish and assist?

Mr. SULLIVAN. Senator, the only goal I would have would be to ensure that the Secretary of the Treasury and the Department itself continue to get good, sound legal advice and support; and that would be my goal.

The CHAIRMAN. Senator Packwood, do you have any questions?

Senator PACKWOOD. No questions, Mr. Chairman.

The CHAIRMAN. I believe, in the order of arrival, Senator Heinz, you were next?

Senator HEINZ. Mr. Chairman, yes. Thank you. Mr. Sullivan, on your résumé, which I must say is probably about the briefest we have ever seen before this committee, you note that you did work a number of years in private practice of law. Is that correct?

Mr. SULLIVAN. Yes, sir.

Senator HEINZ. I don't know much about your legal practice. I know what your duties have been in the personnel office. Taking into account your legal practice, what do you view your best qualifications are for the kinds of work you will be doing at the Treasury Department?

Mr. SULLIVAN. Senator, I practiced law, as you can see, from 1969 to 1985. I was an associate through 1975 and, for an approximate 10-year period thereafter, I was a partner. And in that capacity, I had the responsibility for providing services to the clients of the law firm of which I was a partner.

And in that role, each of us in the law firm had a specialty. A client often has a requirement to be serviced by more than one particular specialist; and so, it is your responsibility as a partner to bring together the best assets of the firm and to apply them to give your client the best legal advice and support.

That is not dissimilar to the position for which the President has nominated me. In the approximately 54 years since the General Counsel's Office has been organized in the Department of the

Treasury, it has produced a qualified staff of people each of whom has an expertise provided in support of the Secretary of the Department and the various component parts.

It is the responsibility, I believe, of the General Counsel to make sure—as a partner in a law firm would—that when an issue cuts across lines, the proper people are brought into the picture and are able to pull together and give a coherent and good piece of advice to the person requesting the advice.

I think that I have experience in that area, and that is what I hope I would be able to do for the Secretary and for the Department.

Senator HEINZ. I am not a lawyer, so you will have to pardon my ignorance; but a partner in a law firm usually becomes a partner because he has special expertise.

Mr. SULLIVAN. Yes.

Senator HEINZ. And while they may have a client for whom they are the principal point of contact in the law firm, and while that client's other interests may necessitate the marshalling of other resources, usually there is a fit between the client and the principal area of expertise for which the person was made a partner in a law firm. Is that correct?

Mr. SULLIVAN. That is generally correct.

Senator HEINZ. What was your principal area of expertise?

Mr. SULLIVAN. My principal area of expertise was in the area of corporate and commercial law. And in that context, I worked with a number of entities—and as Senator Karnes pointed out correctly—financial institutions, banks, investment banks, participants in secondary market transactions.

So, that was my area of expertise; and whether it would be secured or unsecured lending, securities issuance, thrift conversion, mortgage backed securities, that would be the primary reason that I would be involved in a transaction. But many transactions in which one is involved in the corporate and commercial areas require more than one discipline.

For example tax considerations are important in a variety of financial transactions. In that connection, I would work with the tax partners in the firm to make sure that that aspect of the transaction—let's assume it was a——

Senator HEINZ. You are not a tax lawyer, but you know what one looks like.

Mr. SULLIVAN. That is right.

Senator HEINZ. As we approach April 15, we all get to know more and more what they look like.

Mr. SULLIVAN. Yes, that is right, Senator. [Laughter.]

Senator HEINZ. Maybe we ought to keep them around for another month or so.

Mr. SULLIVAN. There is some awfully good expertise right around this room, Senator—probably better expertise than I have on taxes.

Senator HEINZ. There is a lot of expertise, the result of which is to make a lot of people in the tax and legal professions very well to do.

But let me return to what I was asking you if I may. What do you view the principal legal needs of the Treasury Department to be?

Mr. SULLIVAN. Senator, I would like to answer that in a generic fashion because I would not see myself as establishing what the legal requirements are. I see myself as providing a service, as any lawyer would.

Senator HEINZ. Oh, I understand that, but you are going to have to hire lawyers. You are going to have to fire lawyers. You have to run an organization which has to provide services. I understand that you will be marshalling those resources.

On the other hand, I think it is quite legitimate to ask what your understanding or conception is of the needs of the Treasury Department in terms of the kinds of advice this large group of counsel must provide.

I mean, if what they want is advice on mortgage law or contracts, that is one thing. If what they need is advice on the fine points of writing prospecti for Treasury borrowing—if they do any such thing—that is another. If it is international trade issues, that requires quite a different disposition or acquisition of assets.

I am just asking what your understanding or view of the needs of the Treasury Department are for legal advice. I doubt that they write a lot of contracts, for example.

Mr. SULLIVAN. Actually, there is a substantial involvement in contracts; but I think your point is that there is a variety of requirements, whether it is on banking reform legislation whether it is on tax legislation.

The General Counsel's department is divided down along those lines of expertise. There are a number of lawyers who report up to the General Counsel.

Senator HEINZ. I understand that. What I am trying to ask is: If there is one area in which the General Counsel is seeking inside legal advice, more than any other, at the Treasury Department what is it?

Mr. SULLIVAN. You mean, what would I seek?

Senator HEINZ. Yes. What would the function called General Counsel—it is not just you; it is you and all the people working for you—in what area are they most often asked for advice? In what area is the greatest application of all that legal talent applied?

Mr. SULLIVAN. Senator, I could not give you a precise answer on that.

Senator HEINZ. All right. That is fine. I just wanted to know whether you had any understanding of that.

I would like to ask you a few questions, and the purpose of these questions is not to try to find out how much or little you know about any of these things. You won't know, maybe, very much about any of the things, but to really try and identify—as the Treasury's chief legal officer—how your mind works, because one of the responsibilities you have, or will have, is to make sure that the quality of the legal work meets your standards, because you are the boss and you hold all those attorneys—some of whom are new; some of whom have been there for 40 years—accountable for quality work.

That is your responsibility, is it not?

Mr. SULLIVAN. That is correct.

Senator HEINZ. The Canadian free trade zone is an interesting issue; it is a hot one. You are going to be asked for a lot of advice

on it between now and the time we vote on it, probably this summer. For example, questions have been raised about the constitutionality of the dispute settlement mechanism.

Could you identify the issues that that mechanism raises and comment on them?

Mr. SULLIVAN. Senator, I could not. I know the agreement is in the process of being considered. I would assume that the Assistant General Counsel for International Affairs is looking at that. If I were fortunate enough to be confirmed, I would assume that I would have to have some supervisory responsibility there.

But in my current capacity Senator, I do not get involved in that type of an arrangement and certainly not in the detail that your question addresses.

Senator HEINZ. So that I understand your conception of the job, let's say that there is an Article III courts issue that arises in looking at the free trade agreement with Canada. Article III of the Constitution vests the judicial power of the United States in the Supreme Court and in such inferior courts as Congress may establish.

Mr. SULLIVAN. Right.

Senator HEINZ. Would it be your view of your responsibilities that you would accept whatever interpretation of Article III that your staff proposes, or would you subject it to your own analysis?

Mr. SULLIVAN. I would have the responsibility for examining the staff analysis and deciding whether or not I agreed with it, based upon what was in that analysis, the law, the agreement, and, of course, the Constitution itself, since you are talking about a matter involving Article III.

So, I think your question—and if I am wrong, please let me know—your question goes to whether I would simply sit there and accept what they had to say; and the answer is no. Much as in a private law firm, you have a responsibility for reviewing the work of others that is submitted to you to go to the client.

Senator HEINZ. Now, Article III has been around for a while, about 200 years. Do you have any views on Article III? Are you familiar with Article III issues at all?

Mr. SULLIVAN. I am. I am not involved in depth with those issues now, nor was I as a lawyer involved with constitutional issues at the time I was in private practice.

Senator HEINZ. Let me ask you a different kind of question. Let's assume that we approve a free trade agreement with Canada. One of the things that agreement has is a dispute settlement mechanism, which you are familiar with.

Mr. SULLIVAN. Yes.

Senator HEINZ. Which gives a binational panel the ability to make decisions that may be different than decisions made under strictly U.S. law. My first question dealt with the constitutionality of that process.

My second question is: Let's assume we have such a process and that it somehow survives the courts as well as the Congress. How would you propose to deal with the likelihood that different and, most importantly, conflicting interpretations of U.S. law would arise first from strictly U.S./Canada cases, and in the other case, from U.S./non-Canada cases.

As the chief legal officer, how would you explain those to the Congress?

Mr. SULLIVAN. Senator, you are asking me a question about an area with which I am not fully familiar; but my understanding is that the Canada free trade agreement is a complex matter, and it has been subject to substantial negotiations by parties representing this country and parties representing Canada.

I am really not in a position to give you an opinion on a matter that is undoubtedly complex and involves important procedural considerations and important legal considerations.

I think that when you are a lawyer in practice, whether within the Government or within the private sector, you need to take a look not only at the law but at the facts as they are before you; and you have to come to a reasoned conclusion.

If I were to try and predict my views on a matter like that, it would be very premature.

I am just not in a position to do that.

Senator HEINZ. Let me ask you about a different area, the International Emergency Economic Powers Act, where the President has very broad authority to intervene in normal international trade and financial transactions, in cases where he declares—with your advice, I might add—a national emergency.

What to your mind would be reasonable, objective measures of national emergency?

Mr. SULLIVAN. Senator, again, I really would have difficulty defining now certain issues or measures because I really would have to—in each specific instance—look at the facts, look at the statute, look at the legislative history, and come up with a proper interpretation. I would not want to prejudge any particular set of facts because I think each set of facts is unique to itself; and you do have a responsibility to look at that time and see what your advice would be.

Senator HEINZ. Mr. Sullivan let me ask you this question. I am a United States Senator, and I have to vote on your confirmation. Presumably, one of the things I have to weigh in voting on you is your qualifications for confirmation by the Senate.

Do you think that practicing law with no specific expertise in an area where you might have a high governmental responsibility is, in every instance, a sufficient qualification for a Senator voting for confirmation? And is it enough for someone who has been a lawyer for 10, 15, or 20 years to be put into any important legal job that comes to the Senate for confirmation?

Mr. SULLIVAN. Senator, I believe that I am qualified for this job.

Senator HEINZ. That is not my question, though. The question is: How do we make up our minds? You may be perfectly accurate that you are qualified for the job; I have no doubt that you believe you are qualified for the job. The issue is not what is truth; the issue is: How do we make up our minds? That is our job, and we have to make an informed decision.

And whether you are qualified and whether you think you are qualified, we have to figure out, rightly or wrongly—we are fallible people, too—whether or not in our best judgment you are. How do we do that?

What I have heard from you so far is the bottom line, as far as I can understand it—and correct me if I am wrong—the bottom line so far seems to be that I am a lawyer; therefore, I am qualified. Now, maybe that is perfectly valid, but I have to test that against whether or not that is a good enough standard for me and my colleagues, if they are so minded, to use on every person who comes here for confirmation.

Is that a valid standard?

Mr. SULLIVAN. Senator, I think you have to look at each case. I wouldn't presume to set a standard, obviously, for the Senate; but I think in my particular circumstances, the one with which I am obviously most immediately concerned, that I have as I have told you, practiced with a large firm. I practiced in areas involving major clients, and I believe that I a qualified for the position for which the President has nominated me.

The CHAIRMAN. Senator, I have allowed you to go substantially beyond your time.

Senator HEINZ. You have, Mr. Chairman. You have been most generous. Thank you very much.

The CHAIRMAN. I would hope that we could get the balance of your questions in writing.

Senator HEINZ. No, I will not submit any in writing.

The CHAIRMAN. You will not?

Senator HEINZ. I will not.

The CHAIRMAN. Very well. Senator Packwood, do you have any comments?

Senator PACKWOOD. I apologize, Mr. Sullivan, I must leave. As you know, I am going off for a speech. But first, I might try to answer Senator Heinz's question—the way I would answer it if it were being asked of me as to how I vote on a nominee.

You and I don't know each other really well. I would look at your résumé. I would see that you went to Yale and Virginia Universities; that is credible education. You went to work for a good law firm, and you made partner in six years. A lot of people wash out. They don't make partner. They are not good enough.

I would assume that those who passed on you thought that you were good enough to make it. Roger Mentz comes to me and says you are a good man; I have a high regard for Roger Mentz's judgment. Roy Fowches is in the audience, and I see Congressman Lamar Smith of Texas there.

I look at the fact that you have had a variety of positions, and the Administration has had you in their Personnel Office. They decided that you were good enough to become General Counsel to the Treasury Department.

Senator HEINZ. All you lawyers stick together. [Laughter.]

Senator PACKWOOD. I would vote for you—on occasion I have voted against some people—unless I had a particular reason that I didn't like you or knew something about you that was just an anathema to some deep-seated view of mine. And as I don't, and as the President wants you, and as people I trust think you are a good man, I am going to vote for you. Good luck.

Mr. SULLIVAN. Thank you very much, Senator.

The CHAIRMAN. Let me say, Mr. Sullivan, that I am impressed with your credentials and I will be supporting your nomination.

We will try to get ourselves a quorum as quickly as we can and go forward with it.

Mr. SULLIVAN. Thank you very much.

The CHAIRMAN. And with that, this hearing is adjourned.

Mr. SULLIVAN. Thank you very much, Mr. Chairman.

[Whereupon, at 12:28 p.m., the hearing was adjourned.]

[The statements of Senators John Warner and David Karnes follow:]

JOHN WARNER
VIRGINIA

COMMITTEES
ARMED SERVICES
SELECT COMMITTEE ON INTELLIGENCE
ENVIRONMENT AND PUBLIC WORKS
RULES AND ADMINISTRATION

United States Senate

(202) 224-2023

NORFOLK OFFICE
505 FEDERAL BUILDING
200 GRANBY MALL
NORFOLK, VA 23510
(804) 441-3079

RICHMOND OFFICE
PARCEL POST BUILDING
1100 EAST MAIN STREET
RICHMOND, VA 23219
(804) 771-2579

ABINGDON OFFICE
215 FEDERAL BUILDING
150 WEST MAIN STREET
ABINGDON, VA 24210
(703) 628-8158

FEBRUARY 25, 1988

STATEMENT OF THE HONORABLE JOHN WARNER
BEFORE THE COMMITTEE ON FINANCE
IN SUPPORT OF THE NOMINATION OF
MARK SULLIVAN
TO BE GENERAL COUNSEL, U. S. DEPARTMENT OF TREASURY

Mr. Chairman, Members of the Committee, I am pleased to appear before you today to support the nomination of Mark Sullivan to be General Counsel to the Department of the Treasury.

I have had the pleasure to know Mark for many years, and have followed the progress of his career carefully. I believe the President has made an excellent choice with this nomination.

Mark's work within the Administration is well-known to and admired by many of us in Congress. While it would take much of the Committee's time to cover Mark's extensive academic and professional experience, there are a few highlights of his career worthy of special note.

A native of Washington, D.C., Mark has served since March 1985 as Associate Director of Presidential Personnel for Legal and Financial Affairs in the White House. In that position he has had responsibility for identifying, evaluating and placing qualified individuals in the Executive Branch. In addition to those responsibilities, in July, 1986 the President appointed Mark to the Council of the Administrative Conference of the United States.

Prior to joining the Administration, Mark practiced law in Washington as a partner with the firm of Baker & Hostetler. While at Baker & Hostetler, he also served as a member of the Board of Education Appeals at the U.S. Department of Education Appeals pursuant to a Secretarial appointment.

While an attorney in private practice, Mark specialized in corporate and banking law. The in-depth experience Mark gained in his law practice provides him with precisely the background to enable him to serve the Department of Treasury and the Secretary well.

Not only have I been witness to Mark's professional career, but we share some old school ties as well. He earned his degree in law at my undergraduate alma mater, the University of Virginia in Charlottesville, in 1967. Prior to that he studied for his undergraduate degree at Yale University in New Haven Connecticut.

It is my added pleasure this morning to present to the Committee Mark's lovely wife Susan and his two children, Jamie, age 11, and Abby, age 8. They have been a source of constant strength to Mark throughout his career.

Mr. Chairman, you have before you a respected nominee for the post of Treasury General Counsel. I know that the Committee's deliberations will show Mark to be well-qualified for this position, and I offer him my hearty endorsement and support.

February 25, 1988

STATEMENT OF SENATOR DAVID KARNES BEFORE THE COMMITTEE ON FINANCE
IN SUPPORT OF THE NOMINATION OF
MARK SULLIVAN TO BE GENERAL COUNSEL TO THE
UNITED STATES DEPARTMENT OF THE TREASURY

Mr. Chairman, I am pleased to be here today to join with my distinguished colleague from Virginia, Senator John Warner, to introduce to the Committee Mr. Mark Sullivan. The purpose of this hearing is to consider President Reagan's nomination of Mr. Sullivan to be General Counsel to the Department of the Treasury.

I would like to review briefly for the Committee the outstanding credentials which Mark Sullivan would bring to this position. Mr. Sullivan, a native of Washington, D.C., has served since March 1985 as the Associate Director in the Office of Presidential Personnel. In that position he has had responsibility for identifying and placing qualified individuals in the Executive Branch.

Before assuming his current position, Mark practiced law here in Washington as a partner with the firm of Baker & Hostetler. Prior to that he practiced from 1969 to 1984 with the firm of Hamel & Park, where he became a partner in 1975. During these affiliations, his practice involved the areas of corporate, contracts and securities law representing businesses, investment banks and financial institutions. The broad experience gained in his law practice provides Mr. Sullivan with the kind of background that will enable him to serve the Department of Treasury and the Secretary well.

Mark attended the Lawrenceville School in New Jersey, after which he earned an undergraduate degree at Yale University, and went on to the University of Virginia where he was awarded a degree in law in 1967.

On the personal side I would tell you that Mark and his wife Susan are the parents of two lovely children, Jamey, age 11, and Abby, age 8. They are a a fine example of a close and happy family who are so important to the strength and future of our communities. I might also add, or perhaps warn some of my Senate colleagues with similar interests, that Mark is also a formidable squash player.

Mr. Chairman, I have had the occasion to deal with Mark Sullivan at both the professional and personal levels over the years and I have been impressed with him in both contexts. He is a well trained lawyer upon whose wise counsel one can confidently rely. Mark handles important responsibilites well, particularly under pressured circumstances. He gets the job done, yet one always comes away from a transaction with the feeling that it has been a pleasure dealing with him.

In short, I believe that Mr. Sullivan is just the type of person who will serve his country well in this appointment. I therefore believe that the Committee should report this nomination with a recommendation of approval and I trust that the Senate will act swiftly to confirm the President's nomination of Mark Sullivan to be General Counsel to the Department of the Treasury.

Thank you Mr. Chairman.